

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

IN RE: INCRETIN MIMETICS  
PRODUCTS LIABILITY  
LITIGATION } MDL Case No.13md2452 AJB (MDD)  
} This order relates to all related and  
} member cases and the following cases:  
} 13cv2169 AJB (MDD)  
} 13cv2928 AJB (MDD)  
} 13cv3191 AJB (MDD)  
} 14cv56 AJB (MDD)

Pursuant to the Court's direct filing order dated November 13, 2013, all cases alleging pancreatic cancer as a result of ingesting Byetta, Janumet, Januvia and/or Victoza could be directly filed in the MDL 2452. (Doc. No. 184.) Cases alleging injuries other than pancreatic cancer and/or cases alleging pancreatic cancer as a result of the ingestion of another incretin-based therapy could not be directly filed in the MDL. (Doc. No. 1.) It has come to the attention of the Court that the following cases alleging pancreatic cancer as a result of the ingestion of Onglyza, a DPP-4 inhibitor, were erroneously filed in the MDL: *Seufert v. Merck Sharp & Dohme Corp. et al.*, 13cv2169 AJB (MDD); *Lara v. Merck Sharp & Dohme Corp. et al.*, 13cv2928 AJB (MDD); *McDaniel v. Merck Sharp & Dohme Corp. et al.*, 13cv3191 AJB (MDD); and *Gaines v.*

1     *Amylin Pharmaceuticals, LLC et al.*, 14cv56 AJB (MDD). Accordingly, the Clerk of  
2 Court is instructed to remove the above listed cases from the MDL.

3         To the extent counsel in any of the cases currently pending in the MDL has  
4 erroneously filed a case directly in the MDL that does not allege pancreatic cancer in  
5 conjunction with the ingestion of Byetta, Janumet, Januvia and/or Victoza, counsel is  
6 directed to follow the appropriate procedures to remove the case(s) from the MDL.  
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8 IT IS SO ORDERED.  
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10 DATED: February 7, 2014

11   
12 Hon. Anthony J. Battaglia  
U.S. District Judge

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